THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.23222 OF 2001

DATED: 01-8-2007

Between:

Shaikh Younus

.. Petitioner

and

The Commandant, C.I.S.F. Unit, Hyderabad Airport, Old Terminal Buildings, Old Airport, Bowenpally, Hyderabad and another.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.23222 OF 2001

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the respondents in not granting increments to the petitioner even though the punishment period expired on 19.03.1990, as arbitrary and illegal.

It appears, the petitioner is working as Constable in Central Industrial Security Force since 1984. While he was working at Bharat Cooking Coal Limited at Bihar, alleging that he overstayed on leave for 31 days without any valid authority/permission of the competent authority, the respondents initiated departmental proceedings against him and, ultimately, by an order dated 19.04.1989, a punishment of reduction of pay from Rs.900/- to Rs.870/- by two stages for a period of one year, with immediate effect, was imposed on him. Now, it is the grievance of the petitioner that though the said period of one year expired on 19.03.1990, the respondents are not granting increments to him.

The respondents filed a detailed counter affidavit stating that the pay of the petitioner has been upgraded to that of Head Constable (GD) with effect from 04.02.2000 under Assured Career Progression Scheme and his pay was fixed at Rs.3,625/- vide Service Order No.211/01 dated 20.10.2001. Thus, the allegation that he was not being paid increments after expiry of the punishment period is not correct.

Further, the learned counsel for the respondents states that the increments of the petitioner are being released regularly and his promotion can also be considered by the respondents as per Rules.

In view of the above, nothing survives in this writ petition for further adjudication and the writ petition is liable to be closed.

Accordingly, the writ petition is closed. There shall be no order as to costs.

C.V. RAMULU, J

1st August, 2007.
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